



Op 1614

Docket No. JBP-462

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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JAN 21 2000

Applicants : Charles E. Clum et al.

Serial No. : 09/360,805

Art Unit: 1614

Filed : July 23, 1999

Examiner:

For : RETINOID COMPOSITIONS CONTAINING WATER SOLUBLE
ANTIOXIDANT AND A CHELATOR

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HKO
3-8-00

I hereby certify that this correspondence is being deposited with the
United States Postal Service as first class mail in an envelope addressed
to: Assistant Commissioner For Patents, Washington, D.C. 20231 on

January 14, 2000

(Date of Deposit)

William E. McGowan

(Name of applicant, assignee, or Registered Representative)

(Signature)

January 14, 2000

(Date of Signature)

Assistant Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

☒ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the above identified application as set forth in

§1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, no additional fee is required.

☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

☐ Certification in Accordance with §1.97(e) is set forth below; or

☐ Please charge Deposit Account No. 10-0750/ / the fee of \$240.00 as set forth in §1.17(p).

☐ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, therefore:

☐ Certification in Accordance with §1.97(e) is set forth below; or

☐ Please charge Deposit Account No. 10-0750/ / the fee of \$240.00 as set forth in §1.17(p).

☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Certification in Accordance with §1.97(e) as set forth below and the fee of \$130.00 as set forth in §1.17(i)(1).

☐ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

☒ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:

☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.

☐ In accordance with §1.98(d), copies of the following references listed on the attached Form PTO-1449 are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application(s) for which a claim for priority under 35 U.S.C. §120 have been made in the instant application:

☒ Copies of references [list as appropriate] listed on the attached Form PTO-1449 were previously cited by or submitted to the Patent and Trademark Office in prior application Serial No. 08/674,474, filed July 2, 1996:

US 3,906,108

US 4,214,000

US 4,247,547

US 4,466,805

US 4,603,146

US 4,720,353

US 4,826,828

US 4,877,805

Japanese Patent No. 53-14607

Japanese Patent No. 58-41813

References: Dittert, L.W., Sprowl's American Pharmacy, 7th Ed., p. 471
(1974)

McCutcheon's Emulsifier's and Detergents, Vo.l. 1, p. 250
(1991)

☒ Copies of references [list as appropriate] listed on the attached Form PTO-1449 were previously cited by or submitted to the Patent and Trademark Office in prior application Serial No. 07/719,264, filed June 27, 1991:

Remington's Pharmaceutical Science, 15th Ed., pp. 329-337 (1975)

Sprowls, J.B. Jr., Prescription Pharmacy, 2nd Ed., pp. 220-223 (1970)

☒ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

☒ The relevance of those listed references which are not in the English language is as follows: references cited:

AT-B-364 711, as recited in claim 1, Austrian Patent No. 364,711 claims cosmetic compositions for bronzing the skin and dying the hair containing a high content of a Formula I.

EP 343 444 - Derwent abstract attached

DE 3514724 - Derwent abstract attached

FR 3400M - translation is provided

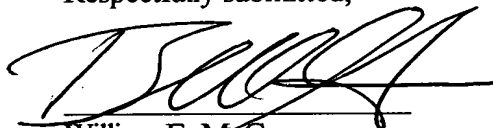
JP 58-41813 - translation provided in USSN 08/674,474

JP 53-14607 - translation provided in USSN 08/674,474

☐ There are no listed references which are not in the English language.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/JBP-462/WEM. This form is submitted in triplicate.

Respectfully submitted,



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